

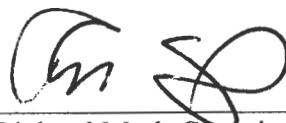
**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Angela Fortner,)	
)	
Plaintiff,)	
)	C.A. No. 9:19-76-RMG
vs.)	
)	
Andrew M. Saul, Commissioner of)	
Social Security,)	
)	
Defendant.)	ORDER
)	
_____)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff’s application for Disability Insurance Benefits (“DIB”) and Supplemental Security Income (“SSI”). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02 (D.S.C.), this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation (“R & R”) on January 15, 2020 recommending that the decision of the Commissioner be reversed and remanded because the Administrative Law Judge failed to evaluate Plaintiff’s migraine impairment under Listing 11.02. (Dkt. No. 20). The Commissioner has filed a response indicating that he does not intend to file an objection to the R & R. (Dkt. No. 21).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the R & R as the Order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the agency for further proceedings consistent with this Order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'RM Gergel', written over a horizontal line.

Richard Mark Gergel
United States District Judge

February 3, 2020
Charleston, South Carolina